

REMARKS

Claims 1-25 are pending in the application; claims 16-24 have been withdrawn. By this Reply, new claim 25 has been added. No new matter has been added. Applicants respectfully request reconsideration of this application and allowance of the pending claims.

In the Office Action, claims 1-15 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection.

The Examiner alleges “[i]t is unclear how a coating ‘partially delimits’ a decorative pattern.” Applicants disagree and submit that this claim language satisfies the requirements of 35 U.S.C. § 112, second paragraph. As an initial matter, Applicants note that the Examiner appears to have misconstrued at least one recitation in claim 1. Claim 1 recites a “first metallic coating at least partially delimiting a decorative pattern.” That recitation relates to the first metallic coating either partially or entirely delimiting the decorative pattern. For example, when the first metallic coating partially delimits the decorative pattern, one or more other portions of the object may cooperate with the first metallic coating to delimit the decorative pattern.

The Examiner further alleges that it is unclear “how the first metallic coating delimits the decorative pattern (paragraph 13) and what the resultant structure is when the decorative pattern ... is covered with a second metallic coating.” Applicants respectfully disagree. Contrary to the Examiner’s apparent assertion, neither the claims nor the specification creates any ambiguity concerning the scope of the claims. For example, the specification at paragraph 13 clearly describes that the metallic coating at least partially delimits the decorative pattern. Furthermore, as explained in the Appeal

Brief filed on October 6, 2003, exemplary embodiments of the claimed object are shown in and described with respect to at least Figs. 2B and 2C.

The Examiner also alleges that "[t]he claims are drawn to two distinct coating systems," and that the claims are inconsistent with the specification's description of "an object having at least three metallic layers." Applicants disagree with these allegations and note that they reflect the Examiner's apparent mischaracterizations of the claims. For example, the claims are not limited to "two distinct coating systems" and the specification does not require "an object having at least three metallic layers," as alleged by the Examiner. Instead, the claims are directed to an object that includes "a first metallic coating" and "a second metallic coating." Moreover, although the specification describes various non-limiting exemplary configurations embodying the claimed subject matter and including more than two metallic layers, the specification clearly states that the first metallic coating may be formed of two or more metallic layers and that the second metallic coating may be formed of at least one less layer than the first metallic coating. See, e.g., paragraph 13.

The Examiner indicates that she interprets the claims such that "other layers may be found between any of the claimed layers." Office Action, page 3, lines 9-10. The Examiner then alleges that "a clear protective coating may overlay the first coating as long as the color of the first layer still shows through the discontinuous areas of the second coating," and that the "second coating may be covered by another layer or coating." While Appellants agree that the term "comprising" is inclusive or open-ended, and does not exclude additional, unrecited elements, Applicants do not understand the

Examiner's remarks and disagree with them to the extent they might be construed as reflecting an improper characterization of the claim language.

For at least the reasons set forth above, the rejections under 35 U.S.C. § 112, second paragraph, should be withdrawn.

In addition, the Examiner objected to the disclosure under 35 U.S.C. §112, first paragraph. The Examiner alleges that the term "partially delimiting" is unclear. For the same reasons as discussed above in connection with § 112, second paragraph, the claim term "partially delimiting" satisfies the requirements of 35 U.S.C. § 112, first paragraph.

Examiner also alleges that during the interview at the U.S. Patent and Trademark Office on July 30, 2003, Applicants' representative identified layers 10 and 11 of Figs. 2A and 2B as corresponding to the second coating. Contrary to that allegation, the Interview Summary dated July 30, 2003 does not mention such a statement, and Applicants' representative has no recollection of making such a statement. Instead, Applicants' representative recalls explaining that in the exemplary embodiment illustrated in Fig. 2B, the second metallic coating is formed of layers 10 and 11 in the region of the support 3 corresponding to the decorative pattern 6.

The Examiner further alleges that the disclosure does not describe "a first and second metallic coating each consisting of multiple metal layers simultaneously on a support." Applicants respectfully disagree with the Examiner's mischaracterization of the claims as reciting coatings "consisting of" layers "simultaneously." To the extent the Examiner might be alleging that the disclosure does not describe subject matter in the claims, Applicants disagree and submit that the first and second metallic coatings are

described in the specification, for example, at paragraph 13. Furthermore, exemplary embodiments including such features are illustrated, for example, in Figs. 2B and 2C.

Accordingly, for at least these reasons, Applicants submit that the objections to the disclosure should be withdrawn.

Claims 1-3, 8-12, 14, and 15 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,505,320 to Burns et al. ("Burns"). Applicants respectfully traverse this rejection.

As discussed in detail in the Appeal Brief filed on October 6, 2003, Burns does not disclose or suggest an object including an outer surface facing away from the support, wherein the outer surface comprises an outer metallic layer of a first metallic coating and an outer metallic layer of a second metallic coating, as recited in independent claim 1. Instead, Burns discloses an integrated circuit electronic package having an outer surface that faces away from the substrate 1, wherein the outer surface includes (1) a polyimide or a fluorocarbon polymer (i.e., substrate 1), (2) copper (i.e., layer 3), and (3) a dry imaging polymeric composition (i.e., layer 5).

Burns discloses a method for manufacturing an integrated circuit electronic package, completion of which results in an integrated circuit electronic package including a substrate 1 and four layers 2, 3, 4, 5 forming a pattern on the substrate 1. The package includes a first layer of a first material 2 (preferably an electrically conductive metal, most preferably chromium) coated onto the substrate 1 (such as a polyimide or a fluorocarbon polymer); a layer of a second material 3 (most preferably copper) that differs from the first material coated onto the first layer 2; a second layer 4

of the same material as the first layer 2 coated onto the layer 3; and a layer of a dry imaging polymeric composition 5 coated on top of the second layer 4.

The pattern is formed by laser ablating layer 5 to provide a desired pattern; removing the exposed portions of the second layer 4, and eventually layer 3, via one or more wet etching processes; then laser ablating additional portions of the layer 5 of the dry imaging polymeric composition to provide a desired pattern; and finally removing . exposed portions of second layer 4 and first layer 2 via a wet etching step.

Referring to FIG. 6, an outer surface of the integrated circuit electronic package facing away from the substrate 1 includes an outer surface of the substrate 1 (i.e., where all of layers 2-5 were removed), an outer surface of layer 3 (i.e., where layers 4 and 5 were removed), and an outer surface of layer 5 (i.e., where no layers were removed). Therefore, the outer surface of the integrated circuit electronic package facing away from the substrate includes (1) a polyimide or a fluorocarbon polymer (i.e., substrate 1), (2) copper (i.e., layer 3), and (3) a dry imaging polymeric composition (i.e., layer 5). Consequently, the outer surface of the integrated circuit electronic package that faces away from the substrate 1 includes only one outer metallic layer; that is, the layer 3 of copper. Therefore, the outer surface of the integrated circuit electronic package does not include outer metallic layers of first and second metallic coatings, as recited in claim 1.

In the Office Action, the Examiner alleges that Burns discloses "a support having a first metallic coating of $n=2$ layers, designated 2 and 3, and a second metallic coating of $n-1$ layer, designated 4." The Examiner further alleges that "the outer metallic layer (3) of the first metallic coating is Cu and has a color and appearance differing from that

of the outer metallic layer of the second metallic coating of Cr.” Nonetheless, Applicants submit that the alleged “outer metallic layer of the second metallic coating of Cr” does not form any part of an outer surface of the integrated circuit electronic package that faces away from the substrate. Referring to FIG. 6 of Burns, no part of the second layer 4 of chromium forms an outer surface of the integrated circuit electronic package that faces away from the substrate 1. Although the first and second layers 2, 4 of chromium each include an outwardly facing surface, these surfaces do not form any part of the outer surface of the integrated circuit electronic package.

Therefore, Burns does not disclose or suggest an object including an outer surface facing away from the support, wherein the outer surface comprises an outer metallic layer of a first metallic coating and an outer metallic layer of a second metallic coating. Deters does not overcome the above-noted deficiencies of Burns, and is not relied upon in the Office Action for such disclosure. Accordingly, Applicants submit that the § 102(b) rejection of claim 1 should be withdrawn.

In addition, claims 1-15 were rejected under 35 U.S.C. § 103(a) as unpatentable over German patent publications DE 3704403 (“DE ‘4403”) and DE 3030403 (“DE ‘0403”) and U.S. Patent No. 6,546,751 to Jaeger (“Jaeger”). Applicants respectfully traverse these rejections.

Neither DE ‘4403 nor DE ‘0403 discloses or suggests an object including, *inter alia*, “a support formed of a molded material,” as recited in independent claim 1. Quite to the contrary, DE ‘4403 discloses a block formed by welding a number of different thin metal sheets (DE ‘4403, Abstract), and DE ‘0403 discloses a watch strap consisting of a steel base material and a partial gold overlay (DE ‘0403, Abstract). The Examiner

alleges that each of these patent documents teaches "molded substrates having decorative patterns formed thereon." Applicants respectfully disagree with the Examiner's allegation, and submit that DE '4403 does not disclose or suggest that any of the sheets are formed of a molded material, and that DE '0403 does not disclose or suggest that the base material is formed of a molded material. Therefore, both DE '4403 and DE '0403 fail to disclose or suggest a support formed of a molded material, as recited in claim 1. Accordingly, the § 103(a) rejections based on these two German patent documents should be withdrawn for at least these reasons.

Additionally, Jaeger does not disclose or suggest an object including, *inter alia*, (1) "a support formed of molded material," and (2) an "outer surface comprising an outer metallic layer of the first metallic coating and an outer metallic layer of [a] second metallic coating, the outer metallic layer of the first metallic coating having at least one of a color and an appearance differing from that of the outer metallic layer of the second metallic coating," as recited in claim 1. Instead, Jaeger discloses a glass candle stick holder 1 having "surface areas 3-6 of bare glass with a decorative pattern of shiny metal areas 7." Jaeger, col. 3, lines 47-50. Jaeger does not disclose or suggest that any part of the candle stick holder 1 is formed of a molded material. In addition, Jaeger does not disclose or suggest that any of the shiny metal areas 7 have either a different color or different appearance than other shiny metal areas 7. Jaeger therefore fails to disclose or suggest at least these feature of claim 1. Accordingly, Applicants submit that the § 103(a) rejection based on Jaeger should be withdrawn.

New claim 25 is allowable for reasons similar to those discussed above in connection with claim 1. Claims 2-15 depend from independent claim 1, and are

therefore allowable for at least the same reasons claim 1 is allowable. In addition, each of the dependent claims recites unique combinations that are neither taught nor suggested by the cited art, and therefore each are separately patentable.

The Office Action contains numerous characterizations of the invention, the claims, and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

The Examiner is invited to call the undersigned at (202) 408-4252 if the Examiner deems that a telephone conversation would further the prosecution of the application.

If there is any fee due in connection with the filing of this Reply, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: _____


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